

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: J. and I. Toole Co.
DOCKET NO.: 05-22403.001-I-1
PARCEL NO.: 12-27-119-056-0000

The parties of record before the Property Tax Appeal Board (PTAB) are J. and I. Toole Co., the appellant, by attorney Dennis M. Nolan of Bartlett and the Cook County Board of Review (board).

The subject property consists of a 31-year-old one-story industrial building containing approximately 6,240 square feet of building area sited on a 8,750 square foot parcel and located in Leyden Township, Cook County.

The appellant, through counsel, appeared before PTAB and submitted evidence claiming that the subject's market value is not accurately reflected in its assessment. This evidence was timely filed by the appellant pursuant to the Official Rules of the Property Tax Appeal Board.

In support of this argument the appellant submitted six sales of industrial buildings provided by a M.A.I. appraiser. The sales occurred between February 2001 and September 2003 for buildings ranging in size from 3,520 to 12,720 square feet and sited on lots ranging from 11,152 to 31,363 square feet for prices ranging from \$282,000 to \$570,000 or from \$23.58 to \$161.93 per square foot of land and building. No analysis and adjustment of the sales data was provided by the appraiser prior to his concluding estimate of value of \$175,000 as of January 1 2004. The appraiser was not present to testify to the submitted evidence or be subject to cross examination. Based upon this evidence, the appellant requested a reduction in the subject's total assessment to reflect the reduced market value.

The board of review submitted "Board of Review-Notes on Appeal" that disclosed the subject's total assessment of \$95,566 which reflects a market value of \$265,461 as factored by the Cook County Ordinance level of 36%. The board submitted evidence in

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the COOK County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$10,237
IMPR.	\$85,329
TOTAL:	\$95,566

Subject only to the State multiplier as applicable.

PTAB/TMcG.

support of its assessed valuation of the subject property. As evidence the board offered six sales of industrial buildings that occurred between August 2001 and August 2003 for buildings ranging in size from 5,000 to 6,350 square feet and sited on lots ranging from 6,299 to 12,598 square feet for prices ranging from \$195,000 to \$345,000 or from \$39.00 to \$54.33 per square foot of land and building. No analysis and adjustment of the sales data was provided by the board. No representative from the Assessor's Office was present to testify to the submitted evidence or be subject to cross examination. The board's representative offered no critique of the board's submitted sales data.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

When overvaluation is claimed the appellant has the burden of proving the value of the property by a preponderance of the evidence. *Property Tax Appeal Board Rule 1910.63(e)*. Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. *Property Tax Appeal Board Rule 1910.65(c)*.

The PTAB finds that the appellant's evidence has failed to meet this burden. The PTAB finds the board's sales are more similar to the subject in both building area and lot size. The appellant's comparables are in some instances much larger buildings and thus carry less weight.

The PTAB gives little weight to both parties' sales evidence because both lack analysis and a supported conclusion of value and thus insufficient evidence to effect an assessment change.

As a result of this analysis, the PTAB finds that the appellant has not adequately demonstrated that the subject property was overvalued and that a reduction in the subject's assessment is not warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: April 25, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing

complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.